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12-17-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 017344/0321

Applicant: Iwao MATSUSHIMA et al.
Title: PRODUCTION SYSTEM WHEREIN FABRICATION DATA ARE
COLLECTED USING FABRICATION STATE INDICATING LAMP
CONTROL SIGNALS
Serial No. 10/026,430
Filed: December 27, 2001
Examiner: Unknown
Art Unit: 2632

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO-SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR 1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR 1.97 and 1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie prior art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The instant Information Disclosure Statement is believed to be filed in accordance with 37 C.F.R. 1.97(b), prior to the mailing date of a first Office Action on the merits (first scenario). If that is not the case, such as in a second scenario in which a first Office Action on the merits has been mailed before the filing of the instant Information Disclosure Statement, then either a certification or fee is required, and a certification is provided below. If neither of the first or second scenarios is the case, such as if a final Office Action or a notice of allowance has been mailed by the PTO (third scenario), then both a certification and fee are required, and in that case a certification is provided below and also the PTO is authorized to obtain the necessary fee to have the instant IDS considered, from Foley & Lardner Deposit Account #19-0741.

CERTIFICATION

The undersigned hereby certifies in accordance with 37 C.F.R. §1.97(e)(1) that item of information A2 listed on the Form PTO SB/08 submitted with this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Statement. Item of information A1 is a U.S. patent that is a counterpart to item of information A2.

RELEVANCE OF EACH DOCUMENT

A translation of a portion of a Taiwanese Office Action that issued October 31, 2003 with respect to a counterpart Taiwanese patent application is provided below.

"Rejection Reasons:

1. This application "Production System Wherein Fabrication Data Are Collected Using Light Tower Fabrication State Indicating Lamp Control Signals" relates to a production system, wherein fabrication data are gathered using light tower control signals.

2. However, such a production system has been disclosed in Taiwan Patent Publication No. 105221 published November 11, 1988 (hereinafter referred to as the Citation, see Attachment 1). In specific, the Citation discloses a computer integrated manufacturing system that can receive information from respective process stations so as to respond well thereto. Thus, it can be found, by comparing this application with the Citation, that this application simply utilizes conventional technology or knowledge known prior to applying for patent, and can be accomplished easily by persons skilled in the art. Consequently, this application involves no invention step.

In conclusion, this application does not meet the stipulated requirement for patentability and should be rejected according to Item 2, Article 20 of the Patent Law."

Applicant's statements regarding the Taiwanese Office Action is based on a partial translation that Applicant's representative obtained. This statement should in no way be considered as an agreement by Applicant with, or an admission of, what is asserted in the Taiwanese Office Action.

Applicants respectfully request that the listed documents be considered by the Examiner and formally be made of record in the present application and that an initialed copy of Form PTO SB/08 be returned in accordance with MPEP §609.

Respectfully submitted,

December 15, 2003
Date

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: December 15, 2003 <i>(use as many sheets as necessary)</i>				Complete if Known Application Number: 10/026,430 Filing Date: 12/27/2001 First Named Inventor: Iwao MATSUSHIMA Group Art Unit: 2632 Examiner Name: Unknown Attorney Docket Number: 017344-0321	
Sheet	1	of	1		

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U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	A1	4,827,423		BEASLEY et al.	05/02/1989	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	A2	TW	105221			11/11/1988		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶

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Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.